

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

NEHEMIAS HUERTAS, JR.,

Plaintiff,

v.

Case No. 19-cv-0592-bhl

TAYLOR E. WAITE, et al.,

Defendants.

DISMISSAL ORDER

On September 30, 2021, Defendants filed a joint motion to dismiss this case with prejudice based on Huertas' failure to prosecute the case. Dkt. No. 131. The deadline to respond to the motion passed and Huertas did not respond, so the Court entered a show cause order giving Huertas one final opportunity to explain why this case should not be dismissed based on his failure to prosecute. Dkt. No. 138. The Court instructed Huertas to file a document with the Court by November 10, 2021 explaining why he did not respond to Defendants' motion to dismiss and to include with that document his materials in response to the motion to dismiss. *Id.* at 3. The Court warned Huertas that failure to comply with the show cause order would result in dismissal of the case with prejudice based on failure to prosecute. *Id.*

The deadline to comply with the Court's show cause order has passed, and Huertas still has not complied with the order or otherwise communicated with the Court. Accordingly, the Court will grant the Defendants' joint motion to dismiss this case with prejudice based on failure to prosecute. The Court will also dismiss Defendants "Jane Does #1-7" from this case because Huertas has failed to identify them, as required by the scheduling order. *See* Dkt. Nos. 83 and 129.

IT IS HEREBY ORDERED that Defendant's joint motion to dismiss this case based on Plaintiff's failure to prosecute (Dkt. No. 131) is **GRANTED**; Defendants "Jane Does #1-7" are **DISMISSED** from this case; and this case is **DISMISSED with prejudice**. The Clerk's office is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin on November 19, 2021.

s/ Brett H. Ludwig

BRETT H. LUDWIG
United States District Judge